

TITLE 83: PUBLIC UTILITIES
CHAPTER I: ILLINOIS COMMERCE COMMISSION
SUBCHAPTER f: TELEPHONE UTILITIES

PART 756
TELECOMMUNICATIONS RELAY SERVICES

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AUTHORITY: Implementing Section 13-703 and authorized by Section 10-101 of the Public Utilities Act [220 ILCS 5/13-703 and 10-101].

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SUBPART A: GENERAL PROVISIONS

Section 756.10 Definitions

"7-1-1" means the abbreviated dialing code for accessing all types of relay services anywhere in the United States.

"Act" means ~~the~~ The Public Utilities Act (Ill. Rev. Stat. 1991, ch. ch. 111?, pars. 1-101 et seq.) [220 ILCS 5].

"Advisory Council" means the advisory council established by 83 Ill. Adm. Code 755.405.

"American Sign Language" or "ASL" means a visual language based on hand shape, position, movement, and orientation of the hands in relation to each other and the body.

"ASCII" is an acronym for ~~means~~ the American Standard Code for Information Interexchange which employs an eight bit code and can operate at any standard transmission baud rate including 300, 1200, 2400 and higher.

"Baudot" means a seven bit code, only five of which are information bits. Baudot is used by some text telephones to communicate with each other at a 45.5 baud rate.

"Call release" means a Telecommunications Relay Service (TRS) feature that allows the Communications Assistant (CA) to sign-off or be "released" from the telephone line after the CA has set up a telephone call between the originating text telephone (TTY) caller and a called TTY party, such as when a TTY user must go through a TRS facility to contact another TTY user because the called TTY party can only be reached through a voice-only interface, such as a switchboard.

"Communications Assistant" ~~"Communication Assistant"~~ or "CA" means a person who transliterates or interprets conversations ~~from text to voice and from voice to text~~ between two or more end users of TRS. relay services. CA supercedes the term "TRS operator".

"Commission" means the Illinois Commerce Commission.

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~~"Deaf or hard of hearing" refers to a person with a permanent hearing loss who can regularly and routinely communicate by telephone only through the aid of devices which can send and receive written messages over the telephone network.~~

~~"Deaf blind" refers to a person who is deaf or hard of hearing and who also has a sight disability and who can regularly and routinely communicate by telephone only through the aid of a telebraille device.~~

"Disability" refers to a condition of being permanently hearing disabled, deaf or hard of hearing, deaf-blind, speech-disabled, hearing-sight disabled, or speech-sight disabled, as those terms are defined in 83 Ill. Adm. Code 755.10 or speech-disabled blind.

"FCC" means Federal Communications Commission.

"Hearing carry over" or "HCO" means a ~~reduced~~ form of TRS where the person with the speech disability is able to listen to the other end user and, in reply, the CA speaks the text as typed by the person with the speech disability. The CA does not type any conversation. Two-line HCO is an HCO service that allows TRS users to use one telephone line for hearing and the other for sending TTY messages. HCO-to-TTY allows a relay conversation to take place between an HCO user and a TTY user. HCO-to-HCO allows a relay conversation to take place between two HCO users.

"Illinois Telecommunications Access Corporation" or "ITAC" means the not-for-profit corporation jointly established by the Illinois telecommunications carriers providing local exchange service carriers in order to administer the programs mandated by Section 13-703 of the Act [220 ILCS 5/13-703] on behalf of the carriers.

"Interexchange carrier" or "IXC" means ~~"IXC" means interexchange carrier",~~ which is a telecommunications carrier providing interexchange service as defined in Section 13-205 of the Act [220 ILCS 13-205].

"LEC" means local exchange carrier, which is a telecommunications carrier ~~providing local service as defined in Section 13-204 of the Act.~~

"Non-English language relay service" means a telecommunications relay service that allows persons with hearing or speech disabilities who use languages other than English to communicate with voice telephone users in a shared language other than English, through a CA who is fluent in that language.

"Public Safety Answering Point" or "PSAP" means a facility that has been designated to receive 9-1-1 calls and route them to emergency services personnel.

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"Qualified Interpreter" means an interpreter who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary.

"Relay system" means the configuration, provision, and operation of the facilities, equipment and personnel through which the telecommunications carriers LEC's shall provide relay service.

~~"Speech disabled" means a person with a permanent speech disability which precludes oral communication, who can regularly and routinely communicate by telephone only through the aid of devices which can send or receive written messages over the telephone network.~~

~~"Speech disabled blind" means a speech impaired person who also has a sight disability.~~

"Speech-to-speech relay service" or "STS" means a telecommunications relay service that allows individuals with speech disabilities to communicate with voice telephone users through the use of specially trained CAs who understand the speech patterns of persons with speech disabilities and can repeat the words spoken by that person.

"Speed dialing" means a TRS feature that allows a TRS user to place a call using a stored number maintained by the TRS facility. In the context of TRS, speed dialing allows a TRS user to give the CA a "short-hand" name or number for the user's most frequently called telephone numbers.

"SS7" or "Signaling System 7" means a carrier to carrier out-of-band signaling network used for call routing, billing, and management. SS7 provides for the delivery of Caller ID, improved access to 9-1-1, and eliminates the need to collect some information currently collected manually through caller profiles.

"Staff Liaison" means the Staff Liaison established by 83 Ill. Adm. Code 755.400.

"System provider" means that corporation, organization, coalition or entity who, under contract to the ITAC, provides the relay system through which the telecommunications carriers' LEC's shall provide relay service.

~~"TT" means text telephone, a device which employs graphic or braille communication in the transmission of coded signals through wire or radio communication system. The term shall include any "telebraille" device, a TT which employs braille language symbols.~~

"Telecommunications carrier" or "carrier" has the same meaning as in Section 13-202 of the Act [220 ILCS 5/13-202] that is providing local exchange telecommunications service as defined in Section 13-204 of the Act [220 ILCS

5/13-204]. For purposes of this Part, "telecommunications carrier" or "carrier" also includes telecommunications carriers that are mutual concerns as defined in Section 13-202(b) of the Act.

"Telecommunications Relay Service" or "TRS" (~~TRS~~) or "Relay service" means telephone transmission services that provide the ability for an individual with a hearing or speech disability to engage in communication by wire or radio with a hearing individual in a manner that is functionally equivalent to the ability of an individual who does not have a hearing or speech disability to communicate using voice communication services by wire or radio. This term includes services that enable two-way communication between an individual who uses a text telephone or other nonvoice terminal device and an individual who does not use such a device, speech-to-speech services, non-English language relay service, and video relay service. TRS supersedes the terms "dual party relay system", "message relay services", and "TDD Relay".

"Text telephone" or "TTY" means a machine that employs graphic communication in the transmission of coded signals through a wire or radio communication system. TTY supercedes the term "TDD" or "telecommunications device for the deaf" and "TT".

"Three-way calling" means a TRS feature that allows more than two parties to be on the telephone line at the same time with the CA.

"Transliterate" means to verbally express a message received by TTY ~~TF~~ or to send by TTY ~~TF~~ a verbal message received.

"Video relay service" or "VRS" means a telecommunications relay service that allows people with hearing or speech disabilities who use sign language to communicate with voice telephone users through video equipment. The video link allows the CA to view and interpret the party's signed conversation and relay the conversation back and forth with a voice caller.

"Voice carry over" or "VCO" means a ~~reduced~~ form of TRS where the person with the hearing disability is able to speak directly to the other end user. The CA types the response back to the person with the hearing disability. The CA does not voice the conversation. Two-line VCO is a VCO service that allows TRS users to use one telephone line for voicing and the other for receiving TTY messages. A VCO-to-TTY TRS call allows a relay conversation to take place between a VCO user and a TTY user. VCO-to-VCO allows a relay conversation to take place between two VCO users.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.15 Dispute Procedures

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- a) The system provider shall assign to one or more of its personnel the duty of hearing any dispute by a relay service user. ~~The Such~~ personnel shall consider the user's allegations and shall explain the user's situation and system provider's assertions in connection therewith. ~~The Such~~ personnel shall be authorized to act on behalf of the system provider in resolving the complaint and shall be available during all hours for this duty.
- b) The system provider shall direct its personnel engaged in personal contact with the user seeking dispute resolution under the provisions of this Part to inform the user of his/her right to have the problem considered and acted upon by supervisory personnel of the relay service where any dispute cannot be resolved.
- c) Should a user express nonacceptance of the decision of supervisory personnel, the supervisory personnel shall then inform the user of his/her right to have the problem reviewed by ITAC, and shall furnish the user with the telephone number and address of ITAC.
- d) The system provider shall maintain a log of consumer complaints, and must retain the log until the next application for certification by the FCC is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution.
- e) ~~d~~ In cases where the dispute is not resolved, ITAC shall direct its personnel to inform the user of his/her right to have the problem reviewed by the Commission and shall furnish the user with the telephone number and address of the Staff Liaison ~~Consumer Services Division of the Commission~~. In addition, ITAC shall offer the assistance of the Advisory Council pursuant to Section 756.305(b).
- f) ~~e~~ Billing disputes
 - 1) When a customer disputes a particular bill, the customer's telecommunications carrier ~~LEC~~ shall not discontinue service for nonpayment so long as the customer:
 - A) pays the undisputed portion of the bill;
 - B) pays all future periodic bills by the due date; and
 - C) enters into discussion with the customer's telecommunications carrier ~~LEC~~ to settle the dispute.
 - 2) No late payment charge shall be charged on any disputed bill paid within 14 days of resolution of the dispute if the complaint was filed with the telecommunications carrier ~~LEC~~ before the bill became past due.

- g) ~~h~~ Disputes arising under this Part shall also be governed by 83 Ill. Adm. Code 735.200.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.20 Notice (Repealed)

~~Unless otherwise indicated, "notice" means notice within 30 days of the event for which notice is required. Notice shall be given in writing or by TT. Notice given by TT shall be subject to hard copy recovery by, and at the discretion of, the receiver, except that an LEC or its agent shall mail a Braille copy of any notice to a telebraille recipient within 48 hours of the original transmission of notice.~~

(Source: Repealed at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.30 Waiver

If ITAC, on behalf of the telecommunications carriers, determines that compliance with any portion of this Part is technologically or financially infeasible, it may request a waiver of such provision. A request for a waiver shall be made by petition and shall set forth a full statement of the reason for the requested waiver. The burden of proof in any request for a waiver shall be upon ITAC and ITAC must show, among other things, that such modification would not violate any legislative mandate. If the Commission grants such waiver, it may specify the period for which such waiver is granted.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

SUBPART B: TELECOMMUNICATIONS CARRIER ~~LEC~~ OBLIGATIONS

Section 756.100 Components of Relay Service

- a) Each telecommunications carrier ~~The LEC's~~ shall provide intrastate relay service whereby a person with a hearing or speech disability can communicate with voice telephone users through the use of a trained CA or functionally equivalent technology. At a minimum, relay service shall:
- 1) Provide text-to-voice and voice-to-text relay service;
 - 2) Be capable of communicating with ASCII or Baudot format at any speed generally in use;
 - 3) Provide speech-to-speech relay service;
 - 4) Provide Spanish language relay service;
 - 5) Provide VCO, two-line VCO, VCO-to-TTY, and VCO-to-VCO;

- 6) Provide HCO, two-line HCO, HCO-to-TTY, HCO-to-HCO; and
- 7) Provide access via the 7-1-1 dialing code to all relay services as a toll free call.
- b) The minimum requirements listed in this Section do not prevent ITAC from offering more relay services, including but not limited to Video Relay Service and Non-English language relay service.
- c) TRS providers are required to provide the following features:
 - 1) Call release functionality;
 - 2) Speed dialing functionality;
 - 3) Three-way calling functionality; and
 - 4) Answering machine and voice mail retrieval.

~~The LEC's shall provide intrastate relay service whereby a person with a disability utilizing a TT (either ASCII or Baudot code capable) can communicate with a hearing person through the voice assistance of a CA. All TRS conversations between TT and voice callers shall be in real time. The relay service shall accept calls that can be dialed directly by a CA at the request of the originating caller. Specifically the CA shall do the following:~~

- a) ~~Accept a call from a TT equipped caller, place a call to an individual who does not have a disability and transliterate the TT messages to voice messages and the voice messages to TT messages in order to complete the communications link; and~~
- b) ~~Accept a call from a caller who does not have a disability, place a call to a TT equipped individual and transliterate the voice messages to TT messages and TT messages to voice messages in order to complete the communications link.~~

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.105 Relay Service Execution and Administration

Each telecommunications carrier ~~The LEC's~~ shall:

- a) Fund the relay service in part through tariffed charges to relay service users as provided in Section 756.125(a). The telecommunications carriers ~~LEC's~~ shall derive the balance of the relay service funding requirements from the revenues collected as authorized by the Commission pursuant to Section 13-703(c) of the Act;

- b) Jointly administer the relay service through ~~their joint agent~~, the ITAC, on behalf of the carriers;
- c) Direct the ITAC, on behalf of the carriers, to develop and circulate, pursuant to the requirements of Section 756.115, a Request-for-Proposal (RFP) for the provision of the relay system;
- d) Direct the ITAC, on behalf of the carriers, to establish a system provider selection procedure pursuant to the requirements of Section 756.115;
- e) Direct the ITAC, on behalf of the carriers, to contract, pursuant to Section 756.120, with a system provider for the provision of the relay system;
- f) Bill and collect charges for relay-assisted calls pursuant to the requirements of Sections 756.125(a) and 756.220; and
- g) Retain individual and collective responsibility for ensuring the provision and maintenance of the relay service consistent with the standards set forth in this Part.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.110 Publicity Concerning Relay Service

- a) Telecommunications carriers or ITAC, on their behalf, LEC's shall publicize the relay service to increase awareness of the availability and use of all forms of TRS offered in Illinois. Efforts to educate the public about TRS should extend to all segments of the public, including individuals who are hard of hearing or speech disabled and senior citizens, as well as members of the general population. Publicity shall include, at a minimum:
 - 1) Annual bill inserts and notices published in the directories;
 - 2) Placement of TRS instructions in telephone directories, through directory assistance services, and incorporation of TTY ~~TF~~ numbers in telephone directories;
 - 3) Notification, at least annually, ~~Written notification~~ to conventional news media such as daily, weekly, or and monthly newspapers newspaper or magazines, and the news departments of television or and radio stations, electronic media, or other cost-effective means of communication;
 - 4) Written notification, at least annually, to organizations and to newsletters serving individuals with disabilities. Organizations and newsletters wishing to receive such notification must contact the telecommunications

carriers through ITAC LEC's and place themselves on a relay service information service list; and

- 5) Written notification to designated offices of the ~~State of Illinois~~ social service agencies, as provided in 83 Ill. Adm. Code 755.110(b)(3); and (a)(4).
 - 6) Ongoing education and outreach programs that publicize the availability of 7-1-1 access to TRS in a manner reasonably designed to reach the largest number of consumers possible.
- b) Relay service information publicized by the telecommunications carriers or ITAC, on their behalf, LEC's shall include the items listed in this subsection. Each publication shall include all items whenever feasible and consistent with the purpose of the publicity. :
- 1) Relay service access numbers;
 - 2) A description of the relay service functions offered, which shall include, at a minimum, those prescribed in Section 756.100;
 - 3) Statements of the full time availability of relay service; and
 - 4) Statements advising that for the quickest response, TTY TT users should directly contact their local 9-1-1 service in emergency situations, or appropriate local emergency agencies in areas where 9-1-1 is not in service, instead of employing the relay service to complete emergency calls, and explaining the process defined in Section 756.205(e) (as defined in 83 Ill. Adm. Code 725).

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.115 RFP Selection Process

- a) The ITAC, on behalf of the carriers, shall develop and circulate to prospective system providers an RFP for the provision of the relay system through which telecommunications carriers LEC's shall provide the relay service mandated by Section 13-703(b) of the Act and this Part.
 - 1) The RFP shall require each respondent to submit a proposal for the design, configuration and supply of a statewide relay system meeting or exceeding the minimum specifications and standards prescribed in Sections 756.200, 756.205, 756.210 and 756.215.

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- 2) The RFP shall require each respondent to supply, either through direct provision or through the securing of services and facilities provided by other entities, the following:
 - A) All relay center buildings, real estate, permits, rights-of-way or clearances necessary to operate the relay system as specified in this Part;
 - B) All telecommunications trunks, cables or lines connected to the relay center in order to receive or initiate telecommunications for the purposes of providing the relay system as specified in this Part;
 - C) All telecommunications or other facilities and equipment required in order to provide the relay system as specified in this Part;
 - D) All supplies, furniture or miscellaneous items required in order to provide the relay system as specified in this Part; and
 - E) All personnel and the training of such personnel required in order to staff and operate the relay system as specified in this Part.
- 3) The RFP shall state whether responses shall be based on a cost-plus-fee or a fixed-cost type contract.
- 4) Prior to circulating the RFP to prospective system providers, ITAC, on behalf of the carriers, shall file the RFP with the Commission for approval, providing copies to the Advisory Council and Staff Liaison on the file date.
 - A) The Advisory Council and Staff Liaison shall have the opportunity to file comments on the RFP within 20 business days following the file date of the RFP. The ITAC, on behalf of the carriers, shall be allowed to respond to the comments within 10 business days following the close of the comment period.
 - B) The Commission shall approve or disapprove the RFP for circulation to prospective system providers by ITAC, on behalf of the carriers, based upon the conformity of the RFP with the requirements of Section 13-703(b) of the Act and this Part.
 - C) If the Commission disapproves the RFP, the Commission shall:
 - i) Specify those aspects which do not conform to the specifications of this Part; and

- ii) Direct ITAC, on behalf of the carriers, to revise the RFP in regard to those elements.
- 5) System provider proposals shall be evaluated on the following criteria:
 - A) The ability of a proposal to cost-effectively achieve the relay system requirements prescribed by this Part;
 - B) A bidder's abilities to fulfill the conditions of its proposal. The bidder shall be assessed according to its financial condition (e.g., net worth, cash flow, and ability to raise capital); technical, operational and managerial expertise; and past experience and level and quality of performance.
 - C) A bidder's prior experience in providing relay services.
- 6) Each RFP will indicate a date, time, and place for prospective system providers to submit a bid or proposal. Responses received late shall not be considered.
- 7) All bids or proposals received prior to the time set for opening shall be opened in public at the date, time, and place specified in the RFP.
- b) Evaluation procedure
 - 1) Within two business days following the deadline for submission of proposals by all parties, the ITAC, on behalf of the carriers, shall file with the Commission and provide to the Advisory Council and Staff Liaison a copy of each bid or proposal with a sworn statement by the president, a vice-president or secretary of ITAC stating that said proposals are complete records and that they were received by ITAC, on behalf of the carriers, under seal which was not broken except as provided in subsection (a)(7);
 - 2) If, after evaluating all proposals, the ITAC Board determines that no proposals meet the requirements of Section 13-703(b) of the Act, this Part, or the RFP, the ITAC, on behalf of the carriers, shall file with the Commission notice of this determination and a report citing the specific deficiencies of each proposal in adequately fulfilling the requirements of Section 13-703(b) of the Act, this Part, or the RFP.
 - A) The Advisory Council and the Staff Liaison shall have the opportunity to file comments on this report within 20 business days of filing by ITAC, on behalf of the carriers. Comments in opposition to the ITAC, on behalf of the carriers, determination shall cite and defend that proposal which the commentator believes

best meets or exceeds the requirements of Section 13-703(b) of the Act, this Part, and the RFP.

- B) The ITAC Board shall have the opportunity to file a response to the comments within 10 business days of the close of the comment period.
- C) Based upon the requirements of Section 13-703(b) of the Act, this Part, and the RFP, the Commission shall either:
 - i) approve the ITAC determination and direct ITAC to develop and issue a new RFP according to the requirements of this Part, or to reissue its prior RFP, or to request any or all bidders to supplement their proposals to conform to the RFP; or
 - ii) deny the ITAC determination and specify a proposal which the ITAC shall be directed to accept.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.120 System Provider Interactions

- a) Upon Commission approval and ITAC acceptance of a proposal, the ITAC and the selected respondent shall draft a contract in which each telecommunications carrier ~~LEC~~ shall ~~approve and~~ concur ~~in~~ as a party. The terms of the contract shall be consistent with the conditions of the proposal. This contract shall be filed with the Commission by a petition pursuant to 83 Ill. Adm. Code 200 and shall take effect only upon Commission approval. The Commission shall approve the contract if it is consistent with the specifications of Section 13-703(b) of the Act, this Part, the RFP, and the selected proposal.
- b) Upon Commission approval of the contract, the selected respondent shall be designated as the system provider.
- c) In addition to the provisions of subsection (a) ~~above~~, the following general conditions shall apply to the contract between ITAC, on behalf of the carriers, and the system provider:
 - 1) The system provider shall comply with the reporting requirements in Section 756.215.
 - 2) The ITAC, on behalf of the carriers, ~~and the LEC's~~ shall perform a yearly evaluation of the system provider's operations to determine compliance with the contract. The system provider shall be required to address any reported service deficiencies.

- 3) The contract shall state the terms under which it may be amended.
- 4) The contract shall state the terms under which it may be unilaterally terminated by ITAC or the system provider.
- d) At least 14 months prior to the termination of an approved contract, ITAC, on behalf of the carriers, shall file a new RFP with the Commission pursuant to Section 756.115, for the provision of a relay system.
- e) ~~If the system provider is not an LEC, and the system provider has proposed a relay system which requires the system provider to employ tariffed LEC services or facilities, the system provider shall purchase those services or facilities at the appropriate tariffed rates. If the system provider employs LEC local access lines in any phase of completing relay assisted calls, the LEC will bill the system provider for those access lines at the business service rate.~~

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.125 Filing Requirements

In addition to the filing requirements prescribed in other Sections of this Part, the following filing requirements shall apply:

- a) Each telecommunications carrier ~~LEC~~ shall file a tariff:
 - 1) Providing a description of the relay service functions offered, that shall include, at a minimum, those mandated in Section 756.100; and
 - 2) Setting forth the basis for rates that ~~which~~ shall be charged for relay-assisted calls.
 - A) Local TRS payphone calls shall be free.
 - B) TRS users shall not be charged for local calls placed or received through the relay system. For calls other than local calls, TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination. A relay-assisted call shall be billed according to the rate(s) which would otherwise have applied if the call had been dialed directly from the originating point to the terminating point on the day, time, and duration of the actual call.

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- B) ~~If the relay-assisted call is to be processed other than on a direct dial basis, the appropriate operator handled surcharges shall apply, in addition to the customer direct dial charge as specified in the tariff.~~
 - C) Any discounts which would apply to a direct call between the originating and terminating points on the same day, time and duration of the relay-assisted call, shall be applied to the charges billed for the relay-assisted call.
 - D) Access via the 7-1-1 dialing code to all relay services shall be toll free.
- b) Each IXC shall file a tariff setting forth the basis for rates which shall be charged for relay-assisted calls which originate and terminate in different exchanges and which if dialed directly without intervention by the relay service would have been transmitted by an IXC.
- 1) TRS users shall pay rates no greater than the rates paid for functionally equivalent voice communication services with respect to such factors as the duration of the call, the time of day, and the distance from the point of origination to the point of termination. A relay-assisted call shall be billed according to the rate(s) which would otherwise have applied if the call had been dialed directly from the originating point to the terminating point on the day, time, and duration of the actual call.
 - 2) Access via the 7-1-1 dialing code to all relay services shall be toll free. If the relay-assisted call is to be processed other than on a direct dial basis, the appropriate operator handled surcharges shall apply, in addition to the customer direct dial charge as specified in the tariff.
 - 3) Any discounts that ~~which~~ would apply to a direct call between the originating and terminating points on the same day, time and duration of the relay-assisted call shall be applied to the charges billed for the relay-assisted call.
- c) The ITAC, on behalf of the carriers, shall file an annual report with the Commission (to be filed no later than April 30 of each year) that ~~which~~ shall contain the following information:
- 1) Updates on administration procedures for the relay service;
 - 2) A description of program activities of the past year;
 - 3) A description and brief evaluation of program effectiveness; and

- 4) As an appendix, the annual report provided by the system provider to the ITAC per the requirement of Section 756.215.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

SUBPART C: RELAY SERVICE PROGRAM STANDARDS AND SPECIFICATIONS

Section 756.205 Relay Service Operations and Specifications

- a) TRS Relay service as described in Section 756.100(a) shall operate at all times be provided via a relay system operating at all times (24 hours a day, 7 days a week, 52 weeks a year) for all Illinois exchanges. Relay services that are not mandated as described in Section 756.100(b) by the FCC need not be provided at all times.
- b) TRS Relay service shall have adequate redundancy features functionally equivalent to the equipment in normal central offices, including uninterruptible power for emergency use.
- c) TRS The relay system shall be initially designed to handle on a statewide basis the current calling volume, 50,000 calls per month, with capabilities to alter the expand the initially established facilities to handle the projected volume of calls. 200,000 calls per month.
- d) At a minimum, TRS The relay system shall be accessed by callers via the 7-1-1 dialing code and a toll-free telephone number number(s). The same toll-free telephone number shall be available to the Illinois relay system regardless of the relay system provider. Callers shall be required to dial (enter) no more than 11 digits in order to access the relay system.
- e) TRS shall have a system for incoming emergency calls that, at a minimum, automatically and immediately transfers the caller to an appropriate PSAP. An appropriate PSAP is the designated PSAP to which a direct call from the particular number would be delivered. In addition, a CA must pass along the caller's telephone number to the PSAP when a caller disconnects before being connected to emergency services.
- f) TRS users shall have access to their chosen interexchange carrier through the TRS and to all other operator services, to the same extent that access is provided to standard telephone users.
- g) TRS shall transmit conversations between TTY and voice callers in real time. The relay service shall accept calls that can be dialed directly by a CA at the request of the originating caller. Specifically, the CA shall accept and complete TRS calls with the ability to transliterate text messages to voice and voice messages to text.

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- h) e) ~~TRS~~ The relay system shall ensure include adequate TRS facility staffing to provide callers with efficient access under projected calling volumes, so that the probability of a busy response due to CA unavailability shall be functionally equivalent to what a voice caller would experience, as defined in 83 Ill. Adm. Code Part 730.520, in attempting to reach a party through the voice telephone network.
- i) f) TRS facilities ~~The relay system~~ shall, except during network failure, answer 85% of all calls within 10 seconds by any method that results in the caller's call immediately being placed, not put in a queue or on hold. The 10 seconds begins at the time the call is delivered to the TRS facility's network. The call is considered delivered when the TRS facility's equipment accepts the call from the local telecommunications carrier and the public switched network actually delivers the call to the TRS center. Abandoned calls shall be included in the speed-of-answer calculation. A TRS provider's compliance with this subsection shall be measured on a daily basis. The system shall be designed to a P.01 standard. A telecommunications carrier shall provide the call attempt rates and the rates of calls blocked between the telecommunications carrier and the TRS facility to relay administrators and the TRS providers upon request. and no more than 30 seconds shall elapse between receipt of dialing information and the dialing of the requested number.
- g) ~~The relay system shall receive and transmit TT signals in either Baudot or ASCII codes, according to the preference of the originator or recipient of a TT call. The relay center(s) equipment shall be designed with capabilities to automatically identify incoming TT signals as either Baudot or ASCII transmissions and to adjust transmissions from the relay center to the code employed by the incoming TT signal.~~
- h) ~~The relay center(s) shall create for each relay assisted call an Extended Message Record (EMR). The record shall contain, at a minimum, the following information:~~
- 1) ~~Telephone number or credit card number to be billed — NPA Prefix Line Number;~~
 - 2) ~~Terminating Telephone Number — NPA Prefix Line Number;~~
 - 3) ~~Originating Telephone Number — NPA Prefix Line Number;~~
 - 4) ~~Date;~~
 - 5) ~~Start time; and~~
 - 6) ~~End time.~~

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- i) ~~The system provider shall forward the EMR for each call to the appropriate LEC within fourteen days of the date such service was supplied, and billing shall take place by the next appropriate billing period.~~
- j) Consistent with the obligations of telecommunications carrier operators, CAs are prohibited from refusing single or sequential calls or limiting the length of calls utilizing relay services. The system provider shall process all single or sequential calls and will not limit the duration of calls made through the relay system.
- k) TRS shall be capable of handling any type of call normally provided by carriers unless the FCC determines that it is not technologically feasible to do so. Relay service providers have the burden of proving the infeasibility of handling any type of call. The system provider shall provide as standard features both VCO and HCO technology.
- l) CAs must alert the TRS user to the presence of a recorded message and interactive menu through a hot key on the CA's terminal. The hot key will send text from the CA to the consumer's TTY indicating that a recording or interactive menu has been encountered. Relay providers shall electronically capture recorded messages and retain them for the length of the call. Relay providers may not impose any charges for additional calls, which must be made by the relay user in order to complete calls involving recorded or interactive messages.
- m) TRS shall be capable of handling pay-per-call calls.
- n) ~~h)~~ The system provider shall be permitted to decline to complete a call because credit authorization is denied.
- o) ~~m)~~ A TRS facility shall ensure that adequate Adequate network facilities shall be used in conjunction with TRS outgoing relay service calls so that, under projected calling volume, the probability of a busy response due to loop or trunk congestion congestions shall be functionally equivalent to what a voice caller would experience, as defined in 83 Ill. Adm. Code 730.520, in attempting to reach a party through the voice telephone network.
- p) TRS facilities are permitted to use SS7 technology or any other type of similar technology to enhance the functional equivalency and quality of TRS. TRS facilities that utilize SS7 technology are independently subject to the Calling Party Telephone Number rules set forth at 47 CFR 64.1600 to 64.1604.
- q) When a TRS facility is able to transmit any calling party identifying information to the public network, the TRS facility must pass through, to the called party, at least one of the following: the number of the TRS facility, 7-1-1, or the 10-digit number of the calling party.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.210 Communications Assistant Standards

- a) TRS providers are responsible for requiring that all CAs ~~Before the relay system begins operation and subsequent to commencing operations,~~ each CA shall be sufficiently trained to effectively meet ~~be familiar with~~ the specialized ~~special~~ communications needs of individuals ~~persons~~ with hearing and speech disabilities ~~who employ the use of a TT~~. The system provider may ~~shall~~ request such training from organizations with prior experience in the provision of services to persons with disabilities. In addition, each CA shall have competent skills in typing, grammar, spelling, interpretation of typewritten ASL, and familiarity with hearing and speech disability cultures, languages and etiquette. CAs must possess clear and articulate voice communications. CAs must provide a typing speed of a minimum of 60 words per minute. Technological aids may be used to reach the required typing speed. Providers must give oral-to-type tests of CA speed. TRS providers are responsible for requiring that VRS CAs are qualified interpreters.
- b) CAs are prohibited from disclosing the content of any relayed conversation regardless of content and, with a limited exception for STS CAs, from keeping records of the content of any conversation beyond the duration of a call. ~~CAs shall keep all communicated information strictly confidential, except as otherwise required or permitted by law.~~
 - 1) Except for purposes of billing calls and as otherwise required or permitted by law, CAs ~~CAs~~ shall not reveal information about any call, including the fact that the call occurred.
 - 2) At the request of the user, STS CAs may retain information from a particular call in order to facilitate the completion of consecutive calls. The caller may request the STS CA to retain such information, or the CA may ask the caller if he wants the CA to repeat the same information during subsequent calls. The CA may retain the information only for as long as it takes to complete the subsequent calls.
 - 3) Appropriate measures must be taken by relay providers to ensure that confidentiality of VRS users is maintained.
 - 4) ~~2)~~ When training new CAs ~~CAs~~ by the method of sharing past experiences, the trainers shall not reveal any of the following information:
 - A) Names, genders, or ages of the parties to the call;
 - B) Originating or terminating points of call; and
 - C) Specifics of the information conveyed in the call.

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- c) CAs are prohibited from altering CA's shall not intentionally alter a relayed conversation and, to the extent that it is not inconsistent with federal, State, or local law regarding the use of telecommunications carrier facilities for illegal purposes, must relay all conversations verbatim unless the relay user specifically requests summarization, or the user requests interpretation of an ASL call. An STS CA may facilitate the call of an STS user with a speech disability so long as the CA does not interfere with the independence of the user, the user maintains control of the conversation, and the user does not object.
- d) CAs ~~CA's~~ shall not counsel, advise or interject personal opinions or additional information into any communication which they are translating.
- e) ~~If requested by the originating caller, CA's shall attempt to complete calls 3 times, consecutively, without delay when receiving busy signals.~~
- e) ~~f)~~ Any paper printouts made at a relay center of communications conducted over the relay service shall be destroyed at the completion of the call except as otherwise required or permitted by law.
- f) ~~g)~~ No CA shall disconnect a call against the wishes of the originating and terminating parties without first obtaining the permission of the CA's supervisor. In the instance that a call is terminated, the supervisor shall log the reason for the termination and sign the log. The supervisor shall authorize such disconnections only in instances in which the caller is abusive to or intentionally uncooperative with the CA.
- g) ~~h)~~ All CA calls shall be carefully supervised. Disconnects shall be made promptly at the end of each call.
- i) ~~Upon receiving an emergency call from a TT user, a CA shall attempt to complete the call to a Public Safety Answering Point number which the caller supplied and which can be directly accessed by the CA.~~
- h) CAs answering and placing a TTY-based TRS or VRS call must stay with the call for a minimum of 10 minutes. CAs answering and placing an STS call must stay with the call for a minimum of 15 minutes.
- i) TRS providers must make best efforts to accommodate a TRS user's requested CA gender when a call is initiated and, if a transfer occurs, at the time the call is transferred to another CA.
- j) Relay providers must offer STS users the option to maintain at the relay center a list of names and telephone numbers that the STS user calls. When the STS user requests one of these names, the CA must repeat the name and state the telephone number to the STS user. This information must be transferred to any new STS provider.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.215 System Provider Reporting Requirements

- a) The system provider shall maintain its records of relay service operations so as to permit review and determination of relay service results. Such records shall be made available during normal business hours for inspection by an individual telecommunications carrier LEC, the ITAC, the Commission, the Advisory Council, or the Staff Liaison.
- b) The system provider shall perform traffic studies and maintain records to the extent and frequency necessary to determine that the requirements of this Part and the contract are being met.
- c) The system provider shall provide to the ITAC an annual report of operations, traffic patterns and accounting details of the relay system. The annual report shall be submitted to ITAC no later than February 28 of each year.
- d) The ITAC, on behalf of the carriers, is and each LEC is obligated to review the relay system operations in order to assure the furnishing of service in accordance with the standards set forth in this Part.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.220 Relay Service Billing and Collection Procedures

- a) ~~Upon receipt of an EMR from the system provider, each LEC shall:~~
 - 1) ~~Calculate the charges for each call pursuant to the tariff specifications of Section 756.125(a);~~
 - 2) ~~Credit the amount of the charge for each call to an account for remittance to ITAC at the end of the period; and~~
 - 3) ~~Post the amount of the charge for each call to the appropriate customer account for billing.~~
- b) ~~For relay assisted calls which originate and terminate in the same local calling area which receives LEC service on a "flat rate" basis or which receives LEC service on a "local measured service" basis where customers are allowed an amount of unbilled usage, each LEC shall:~~
 - 1) ~~Determine on a monthly basis the actual number of these calls placed through the relay system by the LEC's customers;~~

- 2) ~~Perform a separate study to determine the amount of usage revenue associated with all local calls (i.e., revenue associated with calls in excess of a monthly call allowance) on a per call basis;~~
 - 3) ~~Apply this revenue per call figure to the number of calls which originate and terminate in the same local calling area, and which are placed through the relay system by the LEC's customers; and~~
 - 4) ~~Post the resultant revenue to an account for remittance to ITAC at the end of the period.~~
- a) ~~e)~~ Any disputes or customer refusals to pay charges assessed for relay-assisted calls shall be governed by Section 756.15.
 - b) ~~d)~~ Uncollectible charges for relay-assisted calls shall be determined and treated the same as a telecommunications carrier's ~~an LEC's or such IXC's~~ other uncollectible charges.
 - c) ~~e)~~ Nonpayment of charges for relay-assisted calls shall be treated the same as nonpayment of other monthly charges collected from customers by telecommunications carriers ~~LEC's or IXCs such IXC's~~.
 - d) All billing for TRS shall comply with the requirements of Section 756.125(a) and (b).
 - f) ~~Each LEC shall record the costs incurred in the billing and collection of relay-assisted calls. Each LEC shall report these costs to ITAC for direct reimbursement from the revenues generated pursuant to Section 13-703(c) of the Act.~~

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.225 Relay Service Revenues

- a) Each telecommunications carrier ~~The LEC's~~ shall remit the revenues collected each month pursuant to Section 13-703(c) of the Act to ITAC.
- b) From those revenues the ITAC, on behalf of the carriers, shall pay the system provider for any fees or charges due under the contract specified in Section 756.120.;
- c) The relay system provider shall credit ITAC monthly in an amount equal to the intrastate TRS toll revenues billed by the relay system provider. This credit will not include intrastate toll calls processed through any carrier of choice other than the system provider.

- 1) ~~Reimburse the LEC's for costs incurred by the LEC's in the billing and collection of charges for relay assisted calls;~~
- 2) ~~Reimburse the LEC's for any other costs directly incurred by the LEC through the provision of relay service, including:~~
 - A) ~~Relay service publicity;~~
 - B) ~~Account and tax administration;~~
 - C) ~~Auditing and reporting;~~
 - D) ~~Taxes; and~~
 - E) ~~LEC staff assignments; and~~
- 3) ~~Pay the system provider for any fees or charges due under the contract specified in Section 756.120.~~

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

SUBPART D: OVERSIGHT AND REVIEW

Section 756.300 Staff Liaison

- a) The Executive Director of the Illinois Commerce Commission shall appoint one Staff member to act as Staff Liaison to the programs required by Section 13-703 of the Act. The Staff Liaison shall serve as a contact person and advisor to the Advisory Council for the relay system program.
- b) The Staff Liaison shall maintain a log of consumer complaints about TRS and must retain the log until the next application for FCC certification is granted. The log shall include, at a minimum, the date the complaint was filed, the nature of the complaint, the date of resolution, and an explanation of the resolution. Summaries of the logs must be submitted annually to the FCC and at the time of certification.
- c) The name of the Staff Liaison as contact person or office for TRS consumer information and complaints about intrastate TRS shall be submitted to the FCC. This submission must include, at a minimum, the name and address of the State office that receives complaints, grievances, inquiries and suggestions, voice and TTY telephone numbers, fax number, e-mail address, and physical address to which correspondence should be sent.
- d) The Staff Liaison shall be responsible for the compilation and coordination of the FCC filing for State relay certification or recertification. In addition, the Staff Liaison is responsible for coordination of the notification to the FCC of

substantial changes in the State's TRS program within 60 days after the changes occur.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)

Section 756.305 Advisory Council Rights

- a) The ITAC and the telecommunications carrier ~~LEC~~ shall serve one copy of all filings, reports, or other information pertaining to the relay service provided to the Commission on the chairperson of the Advisory Council.
- b) Upon the receipt of complaints concerning the relay service, the system provider, ITAC or the telecommunications carrier ~~LEC~~ staff shall inform the complainant that if the complainant remains dissatisfied in the complainant's dispute, the complainant may contact the Advisory Council. The system provider, ITAC, or the telecommunications carrier ~~LEC~~ staff shall provide the complainant with the name, telephone number and business address of a designated members ~~member(s)~~ of the Advisory Council and inform the recipient that the Advisory Council may be able to aid the complainant in the complainant's dispute.

(Source: Amended at 28 Ill. Reg. _____, effective May 1, 2004)